

UNITED STATES DISTRICT COURT
for the
Southern District of Georgia
Augusta Division

CV122- 143

) CIVIL CASE;

Sharon Bush Ellison
(plaintiff)

7) DECLARATORY JUDGMENT

COMPLAINT

U.S. DISTRICT COURT
FEDERAL JUDGE'S COURT
2022 NOV - 8 P 12:09

Pursuant to Title 28 Judiciary and Judicial Procedure Any Court of the United States upon the filing of an appropriate pleading may declare The Rights and other Legal Relations of any Interested Party seeking Such Declaration whether or not further Relief is or could be Sought.

Any such Declaration shall have the force and effect of a Final Judgement or decree and shall be reviewable as such.

The Above Captioned Plaintiff seeks a
Declaratory Judgment on These Basis;

The plaintiff has applied for financial Rental Assistance being offered in support of Agency Funding disbursed from appropriations attached to Legislation enacted in support of Eviction moratorium protections.

It has been more than (6) six weeks since the Plaintiff has submitted her Application to the State Agency Served Certified Mail Services.

Yet the Agency refuses to acknowledge the application. After trying to make additional Phone and Email contact with the Agency Commissioner and Board, the Plaintiff has Contacted the Deputy Assistant Secretary and Office of General Counsel of Housing at the Federal Level of Government. The Plaintiff has requested the Deputy Assistant Secretary to reinstate her last issued Executive Order which required the Halting of Evictions sometimes around the 2021 Fiscal Year. The Request was made approx Oct 8, 2022

A copy of the communication was also served upon the Landlord of the Plaintiff in this federal Action for Declaratory Judgment. The Landlord to the Plaintiff (hereafter herein "Federal Court Plaintiff") also submitted an Application for financial assistance in Support of the [Redacted] "Federal Court Plaintiff's Application.

To date, There has been no response from Caseworker, of the State Agency, the Commissioner or Board, neither the Deputy Assistant Secretary or General Counsel of the Federal Housing Agency.

The landlord have become impatient and since the Submitting of her application agreeing to wait for Agency Contact after an initial payment of \$1860.00 have done to the Magistrate Court of Richmond County, Georgia in pursuit of Eviction. To which an Affidavit in Support of was filed from the Landlord.

The "Federal Court Plaintiff" has filed the Response November 8, 2022 Time limitations that includes

Motion to Transfer, Motion to Stay
in anticipation of the Dispossessory Proceeding being Stayed
and the Magistrate Judge entering Order Transferring
the Matter to the State Court of Richmond County Georgia in the Case
In that Court Forum, A hearing to determine if the affidavit
from the Landlord meet the perjury basis,
will be scheduled.

The "Federal Court Plaintiff" has filed Motion for Stay:
Seeking a Written Order of Stay in the Magistrate Court.

The "Federal Court Plaintiff" in the above captioned
case has contacted the Deputy Assistant Secretary
and Office of General Counsel of Housing at the
Federal Level of Government.

The "Federal Court Plaintiff" in the above captioned
case has requested the Deputy Assistant Secretary
of Housing to reinstate her last issued Executive Order
which required the halting of Eviction sometimes
around the 2024 Fiscal year.

The Request was made around October 8 2022.
A copy of the communication was also served upon
the Landlord of the "Plaintiff" in this Federal Action
for Declaratory Judgment.

The Landlord has received from a separate Agency
#1860 case The sum of Eight Hundred Sixty Dollars, as
an initial payment with the Landlords Understanding
that they could be no Eviction while the Tenant.

"Federal Plaintiff herein" Wanted for additional Agency Funding
The Landlord signed an agreement that the financial
Assistance would be provided from funding disbursed
from the Fiscal Year 2023 Consolidated Appropriations Act.

The Consolidation includes Appropriations from the "Cures Act"

This is wonderful for many American's who may have experienced various hardships during the 2020, 2021 and even during 2022.

However the Cares Act includes an "Eviction Moratorium" due to the Pandemic which prevented landlords from seeking eviction. Although the "Cares Act" from which the Housing Urban Development offers Shortfall funding, the original provisional protections require "Halt of Evictions" to protect tenant rights during long waits for processing Applications regarding Pandemic Financial Hardship Rental Assurances.

Without the Executive Instructions halting evictions, Public Housing Agencies are demonstrating Gross Abuses of Discretions in their Regulatory Processing Procedures There upon, making the Shortfall Funding to Public Housing Authorities under guise of Pandemic Rental Hardship illegal Funding.

The "Federal Court Plaintiff" request an Order declaring the Rights of the Tenant herein "Federal Court Plaintiff to be in Compliances to the Halt of Evictions "Cares Act" "Eviction Moratorium Protections.

This 4 day of November 2022

Shawn Bush Ellerson
PRO 'SE

CERTIFICATE OF SERVICE

The above named Plaintiff
in the attached Complaint for
Declaratory Judgment has
hand delivered the Complaint to
the office of the Clerk,
in lieu of the original copy
mailed for filing in the mail
of the United States.

Said Mailed Copy had not
reached the office of the Clerk
as informed from the office of the
Clerk approx 12:11 pm;

November 8, 2022, for service
upon the Clerk of the District Court
Southern District, Augusta Division
of the United States.

This 8 day of November 2022,

Shawn Bush Ellison
PRO'SC

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